

## REMARKS

With entry of the amendment, claims 53-62 are pending in the application. Claims 50-52 have been canceled without prejudice or disclaimer. Support for claims 53-62 can be found throughout the specification, including, for example, at page 12, lines 1-2; page 13, lines 10-15; and original claims 8-19. The specification teaches that the open reading frame of TIF $\alpha$  is 537 base pairs and encodes a protein having 179 amino acids. Specification at 12. This open reading frame corresponds to nucleotides 52-588 of SEQ ID NO:7. Similarly, the open reading frame of TIF $\beta$  is 537 base pairs and encodes a protein having 179 amino acids, including three amino acids that are different from the amino acid sequence of TIF $\alpha$ . Specification at 13. The open reading frame of TIF $\beta$  corresponds to nucleotides 50-586 of SEQ ID NO:9.

Applicants also amended page 13 of the specification to correct a typographical error. Specifically, Example 9 at page 13 describes a murine TIF $\beta$  and compares the coding sequence of TIF $\beta$  to TIF $\alpha$ . The specification explains that there are six silent changes in the coding sequence of TIF $\beta$  as compared to TIF $\alpha$  and three changes that result in amino acid differences between the two encoded TIF proteins. Thus, the specification describes the amino acid sequence of TIF $\beta$  in comparison to the sequence of TIF $\alpha$ , explaining that the sequences are identical except at three positions: 36, 113 [sic, 103], and 112. More specifically, in one of the changes, the glutamine at position 112 of TIF $\alpha$  becomes an arginine in TIF $\beta$ . In the other two changes, valines at positions 36 and 113 [sic, 103] of TIF $\alpha$  become isoleucines in TIF $\beta$ . SEQ ID NO:27 represents the amino acid sequence of TIF $\alpha$ . As shown in SEQ ID NO:27, amino acids 36 and **103** are valines, whereas amino acid 113 is a proline. Thus, the reference to position 113 at

page 13, line 16, is a typographical error, and the specification at page 13, lines 14-16, should say: "There are two changes which result in an inconsequential amino acid change (at both positions 36 and **103**, Val in TIF $\alpha$  becomes Ile in TIF $\beta$ ).” Applicants have amended the specification accordingly.

This amendment does not introduce new matter into the specification. In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

**1. Objections**

The Office objects to the first paragraph of the specification because the “priority data must be updated to reflect the correct status of the priority documents.” Office Action at 3. Applicants have amended the first paragraph of the specification to update status of the priority applications. The Office also objects to the heading “Brief Description of the Figure” at page 6 of the specification. *Id.* Applicants have amended the heading as requested by the Office to recite “Brief Description of the Drawings.”

**2. Drawings**

The Office states that new corrected drawings in compliance with 37 C.F.R. § 1.121(d) are required because the drawing sheets do not have the appropriate margins. Office Action at 3. Applicants submit a new Formal Drawing to correct the margins. The Formal Drawing does not contain any amendments relative to the originally filed informal drawing. Accordingly, Applicants respectfully request that the Office withdraw this objection.

**3. Double Patenting**

The Office rejected claim 50 under 35 U.S.C. § 101 as allegedly claiming the same subject matter as claim 12 of U.S. Patent No. 6,331,613. Office Action at 4. The Office also rejected claim 50 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1 and 2 of U.S. Patent No. 6,331,613 and claims 1-4 of U.S. Patent No. 7,081,528. *Id.* at 5. Applicants have canceled claim 50 without prejudice or disclaimer, obviating these rejections.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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By: \_\_\_\_\_

  
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